

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
FARAD CONTINUATION SHEET
CIVIL APPLICATION NO.524 OF 2006
IN
FIRST APPEAL ST.NO.27425 OF 2005

.....
Office Notes, Office
memorandum of Coram,
appearances, Court's
orders or directions
& Registrar's orders.

Court's or
Judge's orders

.....
Mr.Sachin Chavan i/b Mr.S.S.Kulkarni for
the Applicant
Mr.Amit Sale for Respondent Nos.1 to 4.

CORAM: A.S.OKA, J.
DATED: APRIL 21, 2006.

P.C.:

1. Heard Advocates for the parties. The prayer is for waiver of the requirement of the deposit under sub section 1 of section 173 of the Motor Vehicles Act, 1988. On plain reading of the proviso to sub section 1 of section 173, it is clear that the requirement of deposit of Rs.25,000/- is mandatory and the court has no power to grant exemption. Hence, Application is rejected.

2. Time of six weeks is granted to deposit the amount of Rs.25,000/-. If the amount is not deposited within stipulated

period, First Appeal and all pending Civil Applications will stand dismissed for want of prosecution. Ad-interim relief granted in Civil Application No.687 of 2006 will continue to operate only for a period of six weeks from today.

3. Civil Application is disposed of in above terms.

Judge .